

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MAURICE ANTHONY BROWN,

Plaintiff,

v.

JACI MICHAELIS, *et al.*,

Defendants.

CASE NO. 2:22-cv-00828-LK-GJL

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF
TIME TO FILE AMENDED
COMPLAINT

This matter is before the Court on referral and on Plaintiff's motion for an extension of time to file an amended complaint. Dkt. 37. For the reasons set forth herein, the motion (Dkt. 37) is granted.

In his operative complaint, Plaintiff alleges a variety of claims related to his medical care while in the custody of the Department of Corrections ("DOC"). Dkt. 13. More specifically, Plaintiff alleges Defendants were deliberately indifferent to his medical needs relating to treatment for his diabetes and a condition with his kidneys. *Id.*

After the complaint was served and the Court subsequently entered a pretrial Scheduling Order (*see* Dkts. 14, 28), Plaintiff filed a motion for leave to amend his complaint. Dkt. 31.

1 However, because Plaintiff failed to file a proposed amended complaint with his motion, the
2 Court denied the motion to amend the complaint without prejudice in an Order entered on March
3 29, 2023. Dkt. 35. The Court also informed Plaintiff he could file a new motion for leave to
4 amend with a complete proposed amended complaint on or before April 28, 2023. *See id.*

5 Plaintiff has now filed the instant motion seeking an extension of time to file his
6 proposed amended complaint. Dkt. 37. In the motion, Plaintiff indicates that DOC has informed
7 him they will send all remaining medical files relevant to Plaintiff's case to him by May 9, 2023.
8 *Id.* at 2. After receiving the files, Plaintiff will need additional time to review them in order to
9 prepare his complete proposed amended complaint. *Id.*

10 Under these circumstances presented by Plaintiff, the Court finds good cause to grant the
11 motion for an extension of time and, thus, the motion (Dkt. 37) is granted. Plaintiff shall file a
12 motion for leave to amend with a complete proposed amended complaint on or before May 30,
13 2023. If Plaintiff does not file a motion for leave to amend his complaint by May 30, 2023, the
14 case will proceed with Plaintiff's first amended complaint (Dkt. 13) as the operative complaint.

15 Dated this 1st day of May, 2023.

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Grady J. Leupold
United States Magistrate Judge